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**From:** Truesdell, Rod [Truesdell.Rod@epa.gov]  
**Sent:** 2/16/2022 9:33:27 PM  
**Subject:** EPA Daily News Clips for Wednesday, February 16, 2022

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## Today's Black History Spotlight: Thomas L. Jennings

In 1821, Thomas L. Jennings became the first Black person in America to receive a patent. Jennings invented a process called "dry scouring," a predecessor to today's dry cleaning.



No one knows the exact method Jennings used in his patented dry scouring process, so we don't know if his first-ever dry cleaning shop would be subject to EPA's Dry Cleaning Facilities NESHAP today! 😊

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**Daily News Clips:** Brought to you by the Office of Public Affairs

February 16, 2022

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also subscribes to the New York Times through the ProQuest platform ([this link](#)). While the Library does not subscribe to the Washington Post, EPA employees may subscribe via their epa.gov email address.

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# **Administrator**

## **Regan Tells Counties That Community Assistance Will Increase.**

Bloomberg BNA (2/15, Lee) reports EPA Administrator Michael Regan “laid out a vision of close collaboration with local governments on brownfield redevelopment on Tuesday,” speaking at the National Association of Counties conference. Regan said the agency “will ‘significantly expand’ its technical assistance to communities.”

National Association of Counties (2/15, Hendricks) reports EPA Administrator Michael Regan said, “The implementation of the infrastructure law calls for strong partnership, and the EPA is not only ready, but we’re excited to work with our local partners to ensure that all communities see the full benefits of this investment.”

## **EPA Creating Pollution Accountability Team.**

Law360 ([Request Article](#)) (2/15) reports behind a paywall that EPA Administrator Michael Regan announced on Jan. 26 that the agency “would respond ‘directly to concerns of communities historically and disproportionately impacted by pollution,’ with the creation of a pollution accountability team.” This step “will hopefully contribute to correcting the enduring failure of the EPA – and recipients of its funding, including the Alabama Department of Environmental Management, or ADEM – to address persistent environmental injustices across the nation.”

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## **Air**

### **Sierra Club Seeks To Force EPA Reviews Of State Air Permits.**

Inside EPA (2/15) reports, “Sierra Club is seeking to force an explicit change in EPA policy that would allow the agency to weigh state regulators’ underlying decisions on which permits to issue and end a Trump-era doctrine of deferring to states, raising the issue in two recent petitions seeking to object to operating permits for fossil-fuel power plants in Utah and Arizona.”

### **EPA Preparing Major Rulemakings On Power Sector Pollution.**

Inside EPA (2/15) reports, “EPA is readying a series of major rulemakings that will seek to reduce conventional pollution from the power sector, measures that may also help speed the closure of coal-fired generators and eliminate their greenhouse gases despite looming legal limits on the agency’s authority to regulate such emissions. While some Republican senators and conservative legal scholars are cautioning the agency against such an approach, top officials and their supporters say such measures are intended to cut releases of conventional pollutants.”

### **New Truck Emissions Standards Reportedly Coming.**

The New York Times (2/15, Davenport) reports the Biden Administration is preparing new limits tailpipe emissions from buses and heavy trucks. Two unnamed sources say the new rules are based on California’s recently enacted rules. EPA spokesman Nick Conger declined in an email to say whether the rules are based on California’s, but said, “These standards, currently subject to interagency review, will be rooted in the latest science and the law. As part of any rule-making process, E.P.A.’s proposal will initiate a process to take input from a variety of stakeholders.”

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# Brownfields/Superfund/Other Cleanups + Redevelopment

## Lawmakers Consider Revolving Fund To Maintain Brownfield Funding.

Inside EPA (2/15) reports, "As lawmakers from both parties prepare to reauthorize EPA's brownfields program, which is slated to expire at the end of the year, they are seeking to maintain the high level of funding the agency is receiving under the massive bipartisan infrastructure legislation, possibly through the creation of a revolving loan fund."

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## Climate Change

### Biden Administration, EPA To Finalize Decision On California Waiver To Set Vehicle Emission Standards.

The EPA has confirmed a final decision on a "waiver to allow California to adopt its own, stricter vehicle emission standards" is expected soon, CNN (2/15, Nilsen) reports. A favorable decision would reverse a Trump-Administration roll back of "California's decades-old waiver that allowed it to set its own air pollution standards." California Air Resources Board member Daniel Sperling told CNN, "California has decided it will go along with the federal greenhouse gas emissions standards for light-duty vehicles. Where it's diverging is these heavy-duty and light-duty zero-emission rules for cars and trucks."

E&E Publishing (2/15, Skibell) also reports.

### Draft CEQ Guidance Underscores Administration Efforts On Carbon Capture.

Inside EPA (2/15) reports, "The White House is pressing federal agencies to bolster their regulatory regime for carbon capture, use and storage (CCUS) technologies, including by updating pipeline regulations, conducting programmatic reviews for projects, ensuring public engagement, and crafting lifecycle emissions analysis, according to new draft guidance. The Feb. 15 Council on Environmental Quality (CEQ) guidance, required by a congressional directive, underscores the Biden administration's efforts to both expedite permitting for CCUS projects and address environmental justice (EJ) concerns."

Bloomberg BNA (2/15, Lee) also reports.

### EPA Documents Pandemic-Caused Drop In GHG In 2020.

Inside EPA (2/15) reports, "EPA's latest draft inventory of greenhouse gas emissions finds a 'sharp decline' in releases though 2020, underscoring the widespread effects of the initial phase of the coronavirus pandemic, though the agency adds that other market and economic trends also contributed

to the major reduction in emissions that year. Nevertheless, private and other studies have since shown emissions partly rebounding as economic activity increased in 2021 and beyond.”

E&E Publishing (2/15, Chemnick) reports the EPA GHG draft inventory indicates US GHG emissions were down 21.5% in 2020 compared with 2005, thus meeting the commitment made by the Obama Administration in 2009.

## **Advocates Say Administration Not On Track To Meet Biden’s Emissions Target.**

Bloomberg (2/15, Eckhouse) says the American Clean Power Association has issued a report claiming the US “is well off the pace of...Biden’s lofty goal of an emissions-free power sector by 2035.”

Bloomberg adds that while the US “installed 27.7 gigawatts of wind, solar and storage last year – its second biggest renewables year yet – that’s only 45% of what was needed to stay on track to meet Biden’s target.”

Meanwhile, an AP (2/15, Yen, Daly, Krisher) “fact check” claims the President “is overstating the number of electric vehicle charging stations that would be built with his infrastructure law and claiming a speedy shift to electric in the federal fleet that isn’t so.” According to the AP, “Biden says he is fulfilling campaign promises but does not acknowledge that several of his claims rely on passage of a \$2 trillion climate and social safety net plan stalled in Congress.”

## **Biden Administration To Announce Strategy For Buying “Clean” Industrial Materials.**

The New York Times (2/15, Friedman) reports, “The Biden administration on Tuesday will set out a strategy for buying ‘clean,’ lower-emissions steel, cement, aluminum and other industrial materials for federal agencies and projects, part of its effort to reduce carbon emissions from industrial manufacturing.” The Times says, “The industrial sector is responsible for about one-third of the greenhouse gases produced by the United States – pollution that is helping to heat the planet to dangerous levels.” Because of this, “White House officials said they would use federal purchasing power to encourage the industrial sector to develop low-carbon alternatives.” The Administration will create the Buy Clean Task Force “to ensure federal agencies buy construction materials that are manufactured in a way that produces fewer emissions,” among other initiatives. The Hill (2/15, Frazin) reports the announcement comes “as a Postal Service move to largely replace its fleet with gas-powered instead of electric vehicles remains a major point of contention.” NBC News (2/15) and CNN (2/15, Judd) also carry coverage.

## **Supporters Of Climate Change Legislation Rally In Annapolis, Maryland.**

The AP (2/15) reports, “Supporters of legislation to address climate change rallied in Maryland on Tuesday to speed up the state’s goal of reducing greenhouse gas emissions from 40% of 2006 levels to 60% by 2030.” The “Climate Solutions Now Act of 2022” includes provisions to “expand the state’s electric vehicle fleet, require large buildings to reduce emissions and help communities disproportionately affected by climate change.” The bill “aims to shift away from coal and oil and move to electricity,” as newly constructed buildings “would use electricity for heating and hot water, rather than oil and natural gas.”

## **Democrats Face Hurdles In Push To Ban Natural Gas Hookups In Buildings.**

Politico (2/15, Dunn, Kahn, Rivard) reports “dozens of local governments are voting to drive down their carbon footprints by banning natural gas hookups in new buildings altogether. And it’s dividing Democrats and putting the party at odds with key allies.” Commercial and residential buildings comprise a large percentage of US greenhouse gas emissions, “but just as the campaign to force developers to swear off natural gas has started to gain its footing, it’s beginning to feel its political limits.” There is currently “no federal building energy code, and while climate activists have found success in deep-blue cities like New York, Seattle and San Francisco, they’ve struggled with statewide adoption.” Moreover, Politico adds, “the prospect of phasing out gas-fired stoves and furnaces has lit new tensions between moderates concerned about energy costs and progressives frustrated by the nation’s patchwork approach to global warming.”

## **Experts Say Widely-Used Scientific Tool Measures Methane Emissions Insufficiently.**

Bloomberg (2/15, Rathi) reports “a 30-year-old scientific tool” called the Global Warming Potential has been used as a metric to “standardize the impact of all planet-warming emissions.” But many experts “contend the tool is one reason why we underestimate the impact that reducing methane emissions will have on slowing global warming.”

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## **Editorial/Op Ed/ Commentary/Letters**

### **Palmer: Drop In Flaring Volumes Is Good For Shale Oil And Gas Producers.**

Forbes (2/15) contributor Ian Palmer says the drop in flaring volumes in the major US shale basins over the past two years has allowed oil producers to reduce the amount of money they lose by flaring natural gas and to address climate change by lowering their greenhouse gas emissions. Palmer concludes, however, that oil producers can further address climate change by reducing their Scope 3 emissions.

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## **Energy Issues**

### **Republicans Urge Energy Secretary To Disclose Job Losses Caused By Keystone XL Pipeline Cancellation.**

Fox Business (2/15, Koberg) reports a group of Republican lawmakers sent a letter to Energy Secretary Jennifer Granholm urging her to comply with a portion of the Infrastructure and Jobs Act that required the DOE to disclose by February 13 the number of jobs lost as a result of the President Biden's cancellation of the Keystone XL Pipeline. Sen. Steve Daines (R-MT) "told Fox News Digital he had not received any information as of Feb. 15." In the letter, the lawmakers said, "We urge you to complete your obligation under the law and release your report to Congress immediately."

## **BLM Head Likely To Face Challenges Implementing Biden's Energy Agenda.**

E&E Publishing (2/15, Richards) reports new BLM head Tracy Stone-Manning "faces the unenviable job of implementing an energy agenda on public lands that simultaneously dissatisfies climate activists and enrages oil allies." Republicans have "slammed her as an anti-oil political extremist, but former colleagues say the new director of the Bureau of Land Management is uniquely qualified to carry out the Biden administration's vision to revamp the federal oil and gas program." Stone-Manning "is described by these supporters as steeped in public land issues and – perhaps most importantly – experienced in working across political divides." Few can argue "that Stone-Manning is now in position to exert significant influence on energy policy at the national level, affecting every sector with an interest in public lands." Along with "implementing reforms for federal drilling, Stone-Manning in the coming years is expected to play a role in modernizing the national coal program and roll out a huge effort to grow solar energy on public lands."

## **Talos Energy Plans Carbon Capture Development In Mississippi River Industrial Corridor.**

Upstream Online (2/15) reports Talos Energy on Tuesday announced plans "to develop the River Bend CCS project in the Mississippi River industrial corridor, with a lease agreement for land and a memorandum of understanding for carbon transportation in place." The company "will lease 26,000 acres in Louisiana for future carbon capture and storage projects and entered an MoU with EnLink Midstream to provide carbon dioxide transportation solutions in the region." It has also "secured a right of first refusal on about 63,000 additional acres in the region for potential future expansion to meet market demand."

## **DOE Seeking To Construct Facility That Can Extract Rare Earth Minerals From Coal Waste.**

The Houston Chronicle (2/15, Osborne) reports in continuing coverage that the DOE "put out a request Monday for input on designing and building a commercial-scale facility capable of extracting rare earth elements and critical minerals from the billions of tons of waste produced by coal mining and power plants, with \$140 million in federal funding." Energy Secretary Jennifer Granholm "said the facility would be the 'first of its kind,' making use of what is currently an untapped resource for critical minerals." In a statement, Granholm said, "Applying next-generation technology to convert legacy fossil fuel waste into a domestic source of critical minerals needed to strengthen our supply chains is a win-win."

## **Ørsted Breaks Ground On South Fork Wind Project Offshore Long Island.**



The Hill (2/15) reports Ørsted has broken ground on its South Fork Wind project offshore Long Island, New York. South Fork Wind is the state's first offshore wind development, with its 12 turbines intended to "generate enough power for roughly 70,000 homes on Long Island" once it comes online in 2023. New York Gov. Kathy Hochul (D) said the project is expected to eliminate more than six million tons of CO2 emissions over the next 25 years.

## **ConocoPhillips Selling Excess Gas To ND Bitcoin Miner.**

CNBC (2/15, Sigalos) reports ConocoPhillips is selling excess natural gas to a bitcoin mining operation in North Dakota's Bakken Shale. The company's involvement with cryptocurrency mining "dovetails with an initiative by the oil and gas major to reduce routine flaring, or burning off extra gas, to zero by 2030." By having miners co-locate their energy-intensive operations with oil and gas facilities, ConocoPhillips is able to reduce the flaring of excess gas. However, the business model "won't affect the company's scope three carbon emissions, an industry term used to describe emissions that are a result of activities from assets not owned or controlled by the reporting organization." Bloomberg (2/15) also reports.

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# **Environmental Justice**

## **EPA Catching Up On Title VI Complaints, Plans Training, Outreach.**

Bloomberg Law (2/15, Lee) reports EPA general counsel Jeffrey Prieto said at an American Law Institute conference that "there is a significant amount of work in terms of addressing the number of complaints and reviews that have been submitted" under Title VI of the Civil Rights Act. In addition to that work, the agency will use training and outreach to make its civil rights enforcement more robust.

## **White House To Address Environmental Equality Without Factoring In Race.**

The New York Times (2/15, Friedman) reports President Biden "promised to address the unequal burden that people of color carry from exposure to environmental hazards," but the White House's environment strategy does not consider race "a factor in deciding where to focus efforts." Due to concerns about legal challenges, "administration officials said they were designing a system to help communities of color even without defining them as such." The Administration's approach looks to "identify towns and neighborhoods that need environmental help based on dozens of data points like household income, unemployment rates, air pollution levels and proximity to Superfund sites, incinerators and other hazards." Some have questioned this approach, such as Texas Southern University Professor Robert Bullard, who said, "When you look at the most powerful predictor of where the most industrial pollution is, race is the most potent predictor." He added, "If you're leaving race out, how are you going to fix this?"

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## Enforcement

### **IN Steelmaker To Pay For 2019 Toxics Discharge.**

Bloomberg BNA (2/15) reports Indiana steelmaker Cleveland-Cliffs Burns Harbor “has agreed to resolve alleged violations of the Clean Water Act” in relation to a 2019 discharge of ammonia and cyanide into the Little Calumet River. The discharge led to fish kills and beach closures.

Also reporting is the *Times of Northwest Indiana* (2/15).

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## Science

### **Study Finds Ethanol Contributes At Least As Much Carbon Emissions As Gasoline.**

Treehugger (2/15) reports research published in the Proceedings of the National Academy of Science the Renewable Fuels Standard “caused enough domestic land use change emissions such that the carbon intensity of corn ethanol produced under the RFS is no less than gasoline and likely at least 24% higher.” Treehugger “has long complained about feeding corn to cars instead of people, and in a time when food prices are rising fast, it seems particularly silly.”

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## Water

### **State Regulators Says Water Cybersecurity Measures Will Suffer From Untrained Inspectors.**

Inside EPA (2/15) reports, “State drinking water regulators are reiterating warnings that EPA’s plan to add cybersecurity components to existing drinking water utility inspections will likely be ineffective because the inspectors will lack the professional knowledge to accurately assess vulnerabilities, and are renewing requests to discuss other approaches with the agency.”

Bloomberg BNA (2/15, Magill) also reports.

## **Environmentalists, Shrimpers Challenge South Texas Pipelines Wetland-Crossing Permit.**

Bloomberg BNA (2/15, Earls) reports environmental groups and shrimpers said in a filing in the US Court of Appeals for the Fifth Circuit on Monday that the Army Corps of Engineers violated the Clean Water Act by issuing a modified CWA Section 404 permit for gas and pipeline projects in south Texas to cross wetlands. The groups said the Corps “failed to show the designs it approved were the least environmentally damaging and practicable alternative,” and “failed to explain its decision not to require off-site mitigation for the wetlands damaged by the projects.”

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## **ESG**

### **Major Banks Poured \$1.5T Into The Coal Industry In Under Three Years.**

Reuters (2/15) reports financial institutions have “channeled more than \$1.5 trillion into the coal industry in loans and underwriting from January 2019 to November 2021, even though many have made net-zero pledges, a report by a group of 28 non-government organizations showed.” The study found banks from China, the US, India, the UK, Japan, and Canada “were responsible for 86% of global coal financing over the period.” \$373 billion was provided to the coal industry in direct loans and \$1.2 trillion was provided through underwriting. Urgewald Head of Financial Research Katrin Ganswind said, “Banks like to argue that they want to help their coal clients transition, but the reality is that almost none of these companies are transitioning.” Ganswind added, “And they have little incentive to do so as long as bankers continue writing them blank checks.”

### **Scrutiny Of Corporate Climate Pledges Grows.**

The Hill (2/15, Frazin) reports corporate climate pledges face growing scrutiny from government bodies and activist groups, with some “saying that a number of companies are relying on shaky math to fulfill their vows.” Last week, House Democrats “and experts critiqued climate plans from oil companies ExxonMobil, Chevron, BP and Shell, as the companies claim to have net zero goals while continuing to sell fossil fuels.” Chevron and Exxon received particular criticism “because their climate plans only make net-zero promises for operations, like drilling, but not on the selling their products, which is where most of their climate contributions actually come from.” A spokesperson for Chevron “directed The Hill to its climate plan, which says that the company hopes to lower the amount of planet-warming gases released into the air from the burning of its products. It said that this metric provides ‘transparency and replicability in calculations and data with information from financial statements and emissions disclosures.’”

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# Southside Recycling

## Decision On Southside Recycling Permit Expected This Week.

The Chicago Sun-Times (2/15, Chase) reports Chicago officials are expected to decide whether or not to give a permit to Southside Recycling by the end of this week. They will release a report on the impacts the plant would have on the community at the same time. The Housing and Urban Development “has been engaged in an almost year and a half investigation into the city’s role in moving a source of nuisance and pollution from affluent, white Lincoln Park to the Latino-majority East Side.”

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